

## **REMARKS**

### **I. INTRODUCTION:**

The Applicant thanks the Examiner, as well as the Examiner's Supervisor, for the courtesy of a phone interview, conducted on December 15, 2009. Although an agreement with respect to the claims was not reached, the interview was beneficial to the Applicant for better understanding of the Examiner's position regarding the patentability of the current invention in view of the cited prior art.

Claim 1 is currently amended to expedite prosecution. Claims 19 and 20 are currently added. Claims 1-20 remain in the application. In view of the foregoing amendments and the following remarks, the Applicant respectfully requests reconsideration of this Final Rejection.

### **II. BRIEF DISCUSSION OF THE CLAIMED INVENTION:**

Before discussing the merits of the amendments in view of the prior art, the undersigned would like to provide an overview of the claimed invention, and its distinguishing features, to provide context for our arguments below.

The present invention is a user-centric system, provided over a network, that allows a user seeking certification to have control over his or her own certification plan. The system allows the user, who is seeking the certification him/herself, to create a user account through a first user interface. Once the user account is created, the user can select a desired certification authority and personally enter user information regarding certification by the desired certification authority. Of

great importance is that the user seeking certification, not anyone else, enters the information associated with the user account via the first user interface.

For example, see Figures 6 and 7 of the specification, where the creation of a user account is shown. In another example of the present invention, as shown in Figures 9 and 10 of the specification, the user is presented with an interface, titled "User Information Entry Page 1," that allows the user to select a desired certification authority, which is then specified in the user profile. The user also enters information about skills associated with certification by the desired certification authority, for example, the number of years as a teacher or a license already acquired.

The present invention generates a set of certification goals based on information associated with the user account, for example, a selected certification authority and user information. These certification goals are presented to the user via a second user interface so that the user may select one or more of the presented certification goals for creating his/her own certification plan. For example, as shown in Figure 13, a user has the option to select one or more listed certification goals by selecting the "put in plan" button. Thus, the certification plan is generated by a user seeking certification him or herself, not by a third-party supervisor, manager, counselor or parent. Once the certification plan is generated, the user may access any workstation over the network to view updates to the certification plan. Such updates arise as the user achieves one or more of the user-selected certification goals.

**III. CLAIM REJECTIONS UNDER 35 U.S.C. §103(A):**

(I) On page 3, the Office Action rejects claims 1-7, 9-11 and 13 as being rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Pre-Grant Publication No. 2003/0233242 to Wenger in view of U.S. Patent No. 6,606,480 to L'Allier. The Applicant respectfully traverses the rejection.

Based on the Final Office Action, the Applicant has amended claim 1 to include a user information entry module that allows the at least one user seeking certification to create a user account. It is again important to note that the user associated with the account is the person who seeks to be certified, not any other third party, such as a user's manager, employer, etc., as is recited in the prior art of record. The user-entered information via the first user interface includes a desired certification authority and information required for certification by the desired certification authority. No such first user interface is described in the prior art of record.

Accordingly, the cited references do not disclose "a user information entry module that presents a first user interface to the at least one user seeking certification to create a user account over a network for selecting a desired certification authority and for entering user information relating to certification by the desired certification authority," as now required.

Further according to the amended claim 1, a planning module provides a second user interface presenting one or more certification goals that are generated based on the user-entered information and the selected certification authority. The planning module responds to the user's selection of the one or more presented certification goals to create a certification plan that is associated with the created user account. Again, none of the prior art references of record teach or

suggest providing a second user interface and presenting certification goals that are generated based on user-entered information associated with a user account. Also not disclosed is a second user interface that allows the user to select a certification goal for creating a certification plan that is associated with such user certification account.

Wegner discloses that the ACET Auditor “supplies a unique Portfolio Development System 12 and Online Training Systems 34 that deliver employment skill training and a scaffolded set of training experiences designed to develop Portfolio entries that users can submit as evidence of employment and training equivalency for program or certification requirements 22 at partner schools.” *See Page 3, Paragraph 0022*. While this reference discusses a user submitting information regarding certification, there is no teaching or suggestion of how the information is submitted. The user may submit such information via mail, email, fax, etc. However, there is no disclosure regarding a user account created over a network for entry of user information or a user interface for submitting the evidence.

And, although L’Allier discloses a “user input device 28” that may comprise a keyboard, mouse or touch screen, L’Allier does not disclose the creation of a user account whereby the user may enter user information, including a selected certification authority and information related to certification by the certification authority, via the user input device 28, as claimed. *See L’Allier, Col. 4, Lines 42-45*.

Further, Wegner in view of L’Allier does not disclose a planning module that “presents a second user interface to the at least one user seeking certification to select one or more presented certification goals, and wherein the planning module responds to at least one user selection of the

one or more presented certification goals to create a certification plan associated with the user account,” as recited in currently amended claim 1.

The Office Action cites L’Allier, column 6, lines 6-14, to purportedly disclose a planning module that “responds to the at least one user’s selection of the one or more certification goals to create a certification plan,” as recited in claim 1. L’Allier states, in relevant portion, “the organization, typically by way of a supervisor or manager, identifies a skill and skill level desired to be possessed by the user 401. The system 10 then accesses the skills database 402 and retrieves the user’s skills and skill levels 403. If the desired skill is not already possessed by user 404, the desired skill is mapped with the appropriate training regimen.” Simply put, L’Allier discloses a system whereby an organization chooses the skills an employee (i.e. the user) must acquire, based on those skills formally required by the organization. *See Abstract.*

Thus, L’Allier does not teach a system wherein a user, who is seeking certification for him/herself, may select a presented certification goal that is associated with the his/her desired certification authority via a second user interface. Further, L’Allier does not disclose presenting the one or more certification goals to the at least one user, as claimed. Instead, the supervisor or manager determines the skill and skill level to be possessed by the user and only the final training regimen (i.e. the certification plan) is presented to the user. *See L’Allier, Col. 6, Lines 29-30.*

In summary, the claimed invention is amended to require a first user interface that creates a user account allowing a user to select a desired certification authority and enter user information related to certification by the selected certification authority. A second user interface allows a user

to select certification goals generated based on the user-entered information. By requiring a user account, the claimed invention makes clear that the user seeking certification controls his or her own certification. For these reasons and as shown above, Wegner in view of L'Allier does not disclose the present invention as described in claim 1.

Claims 2-7, 9-11 and 13 depend from independent claim 1 and are patentable for at least the same foregoing reasons. In view of the foregoing amendments and remarks, the Applicant respectfully requests reconsideration and withdraw of the present rejection.

(2) On page 8, the Office Action rejects claims 8, 15 and 16 under 35 U.S.C. §103(a) as being unpatentable over Wegner in view of L'Allier and in further view of U.S. Pre-Grant Publication No. 2003/0046265 to Orton et al. Claims 8, 15 and 16 depend from independent claim 1 and are patentable for at least the same reasons presented above with respect to Wegner and L'Allier. Orton does not remedy the deficiencies of Wegner and L'Allier. The Applicant respectfully requests reconsideration and withdraw of the present rejection.

(3) On page 10, the Office Action rejects claims 17 and 18 under 35 U.S.C. §103(a) as being unpatentable over Wegner in view of L'Allier and in further view of Finaid.org. Claims 17 and 18 depend from independent claim 1 and are patentable for at least the same reasons presented above with respect to Wegner and L'Allier. Finaid.org does not remedy the deficiencies of Wegner and L'Allier. The Applicant respectfully requests reconsideration and withdraw of the present rejection.

(4) On page 10, the Office Action rejects claim 12 under 35 U.S.C. §103(a) as being unpatentable over Wegner in view of L'Allier and in further view of the Examiner's Official Notice.

Claim 12 depends from independent claim 1 and is patentable for at least the same reasons presented above with respect to Wegner and L'Allier. The Examiner's Official Notice does not remedy the deficiencies of Wegner and L'Allier. The Applicant respectfully requests reconsideration and withdraw of the present rejection.

**CONCLUSION**

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. The Applicant, therefore, respectfully requests that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. The Applicant believes that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is hereby invited to telephone the undersigned at the number provided. Prompt and favorable consideration of this Amendment is respectfully requested.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 22-0261, under Order No. 29239-190105.

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Respectfully submitted,

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